

THE RUM QUESTION

Will Have to Be Decided by the Votes of the Sovereign People.

NECESSITY OF AN EXTRA SESSION

Is Denied by Many Prominent Republicans and Democrats.

ALLEGHENY WILL BE LEFT IN A HOLE

Unless Information on the Municipal Bill is Quickly Furnished.

The question of an extra session of the Legislature in case prohibition is carried, is still agitating politicians of both parties. It begins to look as though an extra session will not be called. Mr. Cooper has asserted himself in the matter of liquor legislation, and is now content to rest. There is a probability that Allegheny City, if it does not fly to the support of its municipal bill, will have to accept legislation passed without regard to its wishes.

[FROM A STAFF CORRESPONDENT.]

HARRISBURG, January 26.—The question raised by THE DISPATCH concerning the need of a special session of the Legislature in the event of the passage of the Constitutional amendment prohibiting the manufacture and sale of liquor, has been answered in the affirmative. One voice of dissent comes from the Democratic side, and is the voice of one who aided to frame the organic laws of the State.

It is generally agreed by Republicans and Democrats alike that if the amendment is carried at the polls, a special session of the Legislature will be a necessity. The executive officers most concerned, the Governor and his legal adviser, the Attorney General, are naturally reluctant on the subject in the presence of a correspondent, and absolutely refuse to deal in futures in connection with this matter. It is stated for the Governor, though, that he will see the necessity for a special session should the amendment pass, and will call one. But it must not be forgotten that Governor Beaver saw no necessity for calling a special session of the Legislature to deal with the revenue bill. It is not impossible that should the critical time arrive the Governor might adopt the view of the Democrats referred to, and permit events to shape themselves until the next regular session of the Legislature. The matter is within his discretion, and the party is content with that.

AN EXTRA SESSION UNNECESSARY.

The Democrat who considers an extra session of the Legislature unnecessary in the event of the passage of the amendment, is Representative Daniel M. Wherry, of Cumberland, the leader of his party in the House—the man who received the nomination of the Democratic caucus for Speaker. Mr. Wherry was the youngest member of the convention that framed the Constitution, and argues from the instrument itself, and from his knowledge of the intent of the convention that the amendment to the Constitution will be of no effect until the Legislature meets at its next regular session. He subsequently it will not act as a repeal of the present liquor laws.

The position of the Republican party in the Legislature is not so much in doubt as has been carefully considered and reconsidered. At first a general understanding grew up that the liquor laws were not to be tampered with until the bill had disposed of the prohibition matter. This was the understanding up to the time of the joint Republican caucus, while professing to be very firm on having it understood that the party should act in good faith in submitting the amendment to the people, at the same time dropped a hint that the Brooks bill ought to be strengthened immediately. When the bill was much talked of, and when Mr. Cooper threatened for a time to divide and conquer the temperance and prohibition forces, and when in the furtherance of an effort to regain his leadership, the final result has been the solidifying of the sentiment against amending or revising the liquor laws in any way at the present time. As to its effect on Mr. Cooper's future, there is but this to say now:

A MAN OF RESOURCES.

The Delaware Senator has shown himself to be a man of resources. While it is certain that he made the liquor question boil without orders from recognized leaders, and against his wishes, he at the same time showed that he might be a troublesome foe or a useful adherent. That the powers that be are things well to control, and that by the ease with which the introduction of the bill was diplomatically and indefinitely postponed after the first feeling of surprise had worn away. Though this is the case, it is recognized, in spite of the irritation he caused, that Mr. Cooper has acted in such a way that the party cannot complain too loudly of him. His only effort has been to have his bill widely advertised. He at the same time submitted it to party leaders and aides by their decision on the subject, while holding himself free to press it upon them. He has also in a measure placed them on the defensive by having it assumed that his measure is an advance on the present law, and then inquiring in wondering innocence, for which he is famous, whether they desire to place themselves in the position of opposing progress.

The answer to this is simply: "We at present oppose nothing and favor nothing in the matter of liquor legislation. The sovereign people have been asked to declare their will, and until they declare it we are silent."

Thus the matter stands. STIMPSON.

ASSOCIATE JUDGES' PAY

To Be Fixed By the Legislature at \$300 Per Annum.

[SPECIAL TELEGRAM TO THE DISPATCH.]

HARRISBURG, January 26.—A bill has been introduced in the Legislature at the instance of Auditor General McCann, providing for the payment of fixed salaries to associate judges not learned in the law, of which there are two each in the counties of Adams, Bedford, Cameron, Carbon, Center, Clarion, Clinton, Columbia, Elk, Forest, Fulton, Greene, Huntingdon, Jefferson, Juniata, Lawrence, Lebanon, McKean, Mifflin, Monroe, Montour, Perry, Pike, Potter, Snyder, Somerset, Sullivan, Union, Washington, Wayne and Wyoming. Under a decision of the late Judge Pears, these judges are entitled to pay for being present when the law judges' sessions are approved, executions stayed, etc., as well as for attendance at regular sessions of the court.

The 62 associate judges not learned in the law present bills to the Auditor General's department ranging from \$300 to \$800 each, and the new act fixes their salary at \$300 a year. All the other judges of the State are paid fixed salaries, and the purpose of the proposed legislation is to put the associates on the same footing.

INDUSTRIOUS LEGISLATORS.

Getting Away With a Vast Amount of Money.—The House adjourned last night. The House is expediting business so rapidly in comparison with its predecessors that Lieutenant Governor Davis and Speaker Boyer predict an earlier dissolution of the Legislature than two years ago, when it adjourned on the 15th of May. Over 100 bills have already been read the first time, which shows unusual activity on the part of the standing committees, but it must also be taken into account in calculating on the probable time of final adjournment, that a

much larger number of bills has been introduced at this session of the House than at the corresponding period two years ago, and hundreds of bills were not reached in final passage at the session of 1887.

Thus far about 350 bills have been read in place in the House, and the proper consideration of these would keep the Legislature in session as long as the preceding one; but the number will be more than doubled, and the Senate will add about 300 to the list.

EXPLANATIONS IN ORDER

Regarding the Provisions of Allegheny City's Municipal Bill.

[FROM A STAFF CORRESPONDENT.]

HARRISBURG, January 26.—Members of the Legislature have looked askance on some of the bills introduced from Allegheny, and important committees have been angered by the fact that requests for information are met by the statement that the bills were introduced by request, and the gentlemen who moved them are unable to explain them. This is the case with Mr. Lafferty's street railway bill, Mr. Marland's traction railway bill, and some corporation bills introduced by the former. The committees want the parties who sent the bills here to come and explain them or keep them at home.

The latest grievance against the State of Allegheny grows out of the bill to remove the city of the same name from the third to the second class. The objections that caused the recommission of the bill have roused the wrath of the representatives of the third-class cities, and they plainly see that the present complications are likely to retard general municipal legislation and at best result in the disposal of the matter mainly in the hands of the Legislature. Should they determine to take the bit between their teeth and force the matter to an issue, with the possible aid of Philadelphia, they may leave the Allegheny bill in the hands of the Legislature, and the bill may be amended to agree with that provision of the classification bill which makes second class cities of 75,000 population or more, and less than 600,000. In this event Allegheny would become a city of the second class, subject, as such, to the provisions of the act governing Pittsburgh, with not even a punctuation mark subtracted therefrom or added thereto.

CORPORATIONS WILL BE TAXED

On Their Capital Stock By the Proposed Revenue Bill.

[SPECIAL TELEGRAM TO THE DISPATCH.]

HARRISBURG, January 26.—The new revenue bill being proposed by the Finance Committee of the Senate will not contain the provision of the act of 1885 exempting manufacturing corporations from the payment of a tax on their capital stock. The exception of this class of corporations from the operations of the proposed legislation taxing capital stock would contribute about \$400,000 a year to the public treasury. The change of the Legislature is necessary in the event of the passage of the amendment, as Representative Daniel M. Wherry, of Cumberland, the leader of his party in the House—the man who received the nomination of the Democratic caucus for Speaker. Mr. Wherry was the youngest member of the convention that framed the Constitution, and argues from the instrument itself, and from his knowledge of the intent of the convention that the amendment to the Constitution will be of no effect until the Legislature meets at its next regular session. He subsequently it will not act as a repeal of the present liquor laws.

STILL PENDING.

Legal Proceedings—Prevent a Gobble by the Pennsylvania Railroad Hang Fire.

[SPECIAL TELEGRAM TO THE DISPATCH.]

HARRISBURG, January 26.—It is known by comparatively few people that the case of the Commonwealth to prevent the consummation of the negotiations to absorb the South Pennsylvania and Beech Creek railroads, is still pending. The preliminary injunction is still pending, and no application has been made by the Attorney General to the Supreme Court for the appointment of a master to report a final decree to the court on the testimony to be taken in the case, if there be any, and the evidence evidence already submitted.

The pending preliminary injunction was granted in October, 1886, since which time nothing has been done toward obtaining a final decree.

VOLUPTUOUS BIDS.

The Board of Awards Kept Busy Letting Out Minor Contracts.

MASSONIC AT WILMOT STREET.

2,000 cubic 140 cubic
varia. varia.
Mason. Concrete.

J. Dolores..... 8 75
J. Dray..... 10 35
James Galt..... 4 25
Charles M. Driver..... 3 80
Joe Beck..... 3 00

The contract was awarded to James Galt and Co. On the embankment at Wilmo street, 15,000 cubic yards, bids were as follows per cubic yard:

H. C. Howard, 46¢ cents; Joseph Hastings, 58¢ T. Dolores, 48¢ E. Scanlon, 29¢; R. S. Walters, 29¢; James McKnight, 29¢ R. S. Walters, 29¢.

The contract was awarded to James McKnight, and others were as follows:

Remodeling the garbage furnace—Philip Marconi, \$500; L. B. Rambler, \$600. The contract was awarded to the former.

For two cylinder heads at the water works: Robinson, Rex & Co., \$1,825; Thomas H. Carlin, \$1,885; Scott Foundry and Machine Company, \$1,800; Thomas M. Miller, \$1,361. The contract was awarded to the latter.

The Cleveland City Forge and Iron Company was awarded the contract for a crank for the 12 1/2 inch pumps per pump.

For the 12 1/2 inch engine house: Reed & Mente, \$288; G. J. O'Brien, \$308 50; E. J. Hill, \$300. The contract was awarded to Reed & Mente.

For printing manual for Building Inspector: Best & Co., per page..... 88 73 42
Herald Press, per page..... 117 37 38
per page..... 65 60 38

The contract was awarded to W. P. Bennett. For the building for Chief Eliot's department: R. J. Casey & Co., \$385; Jas. G. Vier, \$498. The contract was awarded to the former.

For the 12 1/2 inch engine house: Reed & Mente, \$288; G. J. O'Brien, \$308 50; E. J. Hill, \$300. The contract was awarded to Reed & Mente.

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THE DENNY-SCHENLEY

Appeals Warmly Argued in Court by the Counsel on Both Sides.

ATTORNEY FOR THE ALIEN ESTATES

Rather Sat Down Upon by Judge Ewing in Some Fine Law Points.

THE TEST CASE SOON TO BE DECIDED

The important test case of the Denny estate in its appeal from the decision of the Board of Assessors, came up in Common Pleas No. 2 yesterday morning before Judge Ewing, White and Magee.

The points were argued at length from 11 in the morning until late in the afternoon, and were watched with considerable interest by many legal gentlemen present, as it is the first case of the sort ever brought up in the Allegheny county courts, and upon the decision there hinges the question of a great many thousand dollars, besides the establishing of a precedent that is of great importance to this city in view of the enormous properties held here by foreign land owners.

The bill in equity argued yesterday was a test case to restrain the city from assessing property owned by the Denny estate in the Fifteenth ward, and the improvements made upon them by the Carnegie Bros. & Co., to the Denny estate as a whole. Heretofore the property has been assessed in the name of the lessees, but the city claims that the improvements are a part of the land, and therefore have placed the assessment upon the Denny estate.

In his opening remarks, Major Morland said that, by common law, the improvements on land, no matter what the interests of the lessee may be, made them part of the land and real estate, and therefore the assessment was legal.

In reply to the allegations in the bill that the Board of Assessors, in departing from the letter and figure of the returns made to them by the ward assessors, Mr. Morland argued that they did not act illegally, as alleged in the bill, but followed out the act of 1884, which was intended in the absence of any other regulation to be a direction and guide for the Board of Assessors.

This act prescribes that the Board of Assessors shall take the returns of the ward assessors as a basis for their assessment. Then following out the line of his argument, he said the act of 1884 gave them power to revise and equalize by adding or deducting or changing, and to rectify all errors, and by the terms of the act itself it would be seen that the board had made a legal and proper assessment.

Having shown that the board had a right to assess the ground, he went on to show that the improvements naturally followed the ground, no matter what the interests of the lessee might have been; they were made so by common law, and there was no need to change it. Property in the soil extended to the surface and downward, and he had been unable to find any law that would permit the City of Pittsburgh to file a lien against the building.

ON THE OTHER HAND.

R. B. Carnahan then arose in behalf of the Denny estate. His arguments were frequently interrupted by the Court, who manifested a difference with him in many points in law, and at one time Mr. Carnahan most certainly lost his temper, and perhaps the highest court did the same, as the concluding remarks will show.

Mr. Carnahan argued that as the improvements of the lessees of the Denny estate, by the terms of the lease, belonged exclusively to the tenant, and as the Denny estate had no right or title in them whatever, it was an absurdity to assess to the Denny estate that which they did not own and which they had no interest in whatever.

He then presented a supposition. If the court-owned land worth \$5,000, leased as the Denny estate, and the tenant had erected mill improvements valued at \$100,000, would the court pay assessments on those improvements in which they had no interest?

Judge Ewing replied that in that case, if the lessee did not pay the taxes, the owner of the land would be obliged to do so, and that was the law.

Mr. Carnahan made some remark about legislative and judicial robbery, and Judge Ewing replied that they would not permit him to say anything about legislative and judicial robbery in that case. Mild hostilities ceased here, and the argument was resumed. Nothing, however, of importance outside of the points above given, was touched upon.

The court then took charge of the papers in the case and will give a decision in a few days.

"We believe we are going to win this fight for the city," said Chief Assessor Case last evening, "and it will be a mighty important victory for Pittsburgh."

AMERICANS AHEAD.

Novel Styles of Furniture Finish at the Michigan Exhibition.

Mr. W. H. Keesh returned a few days ago from the great furniture exposition at Grand Rapids, Mich., and in his description of the exhibits he stated that American furniture manufacturers are going far ahead of anything that is made anywhere else. In point of novelties, elegance and comfortable articles, there have been great achievements during the last year.

The most striking novelties in parlor and dining room furniture were, an imitation of the sixteenth century style, and a finish called the malachite. The first has an antique oak finish, with an additional fine clouding worked in it, which lends the furniture a peculiar striking appearance.

The malachite is a green finish, which is put in a transparent form over the groundwork of the regular oak finish. This green makes the furniture look very odd indeed; but Mr. Keesh thinks the style will be very popular.

Aldrich Will Come Back.

Detective John R. Murphy, of Allegheny, who went to Windsor with several witnesses to attend the hearing of Aldrich, the alleged bank robber, returned yesterday. He says the case was postponed until next Tuesday, but he believes that the prisoner can be brought back to this country, as there is a good case against him. Detective Murphy says the courtroom was crowded at the preliminary hearing, most of the persons present being noted crooks.

DEATHS OF A DAY.

Inspector General Jones.

FT. MONROE, VA., January 25.—Inspector General Jones, United States Army, died here at 7:30 o'clock this morning.

MARRIAGE LICENSES GRANTED YESTERDAY.

Name. Residence.
Peter Della. Pittsburgh
Katie Mendick. Pittsburgh
Cornelius Harley. Pittsburgh
Jessie Devlin. Pittsburgh
J. George Wenzel. Pittsburgh
Margaret Pfeiffer. Allegheny
William J. Red. Pittsburgh
Anna John. Allegheny
William H. Young. Allegheny
Mary Holzmann. Allegheny
Jasper Kieley. Pittsburgh
Lizzie Moten. Pittsburgh
Charles A. Wither. Pittsburgh
Marydiana Harris. Allegheny
Thomas Hefty. Pittsburgh
Katie M. Richter. Allegheny
George Kuhn. Pittsburgh
Marie McGinley. Pittsburgh
John Bratton. Allegheny
Charles Westerman. Allegheny
John P. Ryland. Pittsburgh
Adelia M. Roskell. Pittsburgh
Peter Keller. Lower St. Clair township
Philippea Jones. St. Clair township

MARRIED.

AIKEN—BURCH—Wednesday morning, January 25, 1889, at the residence of the bride's parents, Baltimore, by Rev. W. R. Stricklin, E. N. Aiken, of Pittsburgh, and Miss Laura V. Burch, of Baltimore, Md.

FRANCE—LOOMIS—Thursday evening, January 24, 1889, at St. Peter's Church, Pittsburgh, by the Rev. Cortland Whitehead, D. D., J. L. France, of Lexington, Ky., and Loomis, of Pittsburgh.

HELBLING—HEYL—Wednesday morning, January 24, 1889, at St. Augustine Church, Pittsburgh, by the reverend pastor, Father Mauritzus, Floona Bratton, of Allegheny, and Lawrence M. Heyl, both of this city.

DIED.

BERGER—On Saturday, January 26, at 12 M. ANNE, daughter of Martha Berger, aged 14 years 11 months.

Funeral from the residence of her mother, 176 Forty-fifth street, city. Friends of the family are respectfully invited to attend.

BRADLEY—On Thursday, January 24, 1889, at 4 o'clock A. M. JOSEPH, son of Mr. and Mrs. William Bradley, aged 2 years 11 months 2 days.

Funeral from the residence of his parents, McKee's Rocks, on SUNDAY, January 27, at 2 o'clock P. M. Friends of the family are respectfully invited to attend.

Funeral on Friday, January 25, 1889, at 9 o'clock P. M. JAMES, son of James and Kate Dorsey, in his 24th year.

Funeral at the parents' residence, Homestead, on SUNDAY, January 27. Interment in St. Mary's Cemetery. Friends of the family are respectfully invited to attend.

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